

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DEUTSCHE BANK CASH ACCOUNT PENSION
PLAN and DEUTSCHE BANK MATCHED
SAVINGS PLAN,

Plaintiffs,

-against-

ORANGE BANK AND TRUST COMPANY, as the
Executor of the Estate of Kenneth Bosin, JANET
ROSSI, IAN BOSIN and PAIGE BOSIN (a/k/a
Emily Paige Bosin),

Defendants.

19-CV-02400 (JPO)(GWG)

CONSENT ORDER

WHEREAS, the Plans filed their Complaint for Interpleader on March 18, 2019; defendants Ian Bosin and Paige Bosin filed their cross-claims against defendant Janet Rossi on May 28, 2019; and defendant Orange Bank and Trust Company filed its cross-claims against defendant Janet Rossi on May 24, 2019; and all parties, by their respective attorneys, have consented to entry of this Consent Order and dismissal of this case without trial or adjudication of any issue of law or fact, and without this Consent Order constituting any evidence or admission by any party regarding any issue of fact or law;

WHEREAS, plaintiffs Deutsche Bank Matched Savings Plan and Deutsche Bank Cash Account Pension Plan (the "Plans") each hold an account of the decedent Kenneth Bosin as disinterested stakeholders who desire only to pay the proceeds without incurring liability to any party with a potential claim to the monies; and

NOW THEREFORE, before any trial testimony is taken, without trial or adjudication of any issue of fact or law, and upon consent of the parties, it is hereby

ORDERED AND DECREED:

1. The Deutsche Bank Matched Savings Plan and Deutsche Bank Cash Account Pension Plan shall pay, from Kenneth Bosin's accounts under the Plans, forty eight thousand six hundred and eighty six dollars and sixty five cents (\$48,686.65) to Epstein Becker & Green, P.C. for reasonable costs and attorneys' fees incurred in the prosecution of this action, and the payment amount shall be apportioned between Kenneth Bosin's accounts under the Plans as directed by the Plans' Administrator in her discretion;

2. The remaining proceeds of Kenneth Bosin's Deutsche Bank Matched Savings Plan account shall be paid to the Estate of Kenneth William Bosin in a lump sum;

3. The remaining proceeds of Kenneth Bosin's Deutsche Bank Cash Account Pension Plan notional account shall be paid to the Estate of Kenneth William Bosin in accordance with the procedures set forth in the Plan Documents that otherwise would apply if the Estate had been the named beneficiary and any spousal interest properly disclaimed; and

4. Upon payment by the Plans to the Estate of Kenneth William Bosin as set forth above, this case, and all claims and cross-claims asserted therein, shall be dismissed with prejudice and without costs to any party and all claims, rights, interests and actions that Ian Bosin, Emily (Paige) Bosin, Janet Rossi or the Orange Bank and Trust Company as the Executor of the Estate of Kenneth Bosin might otherwise have

held against the Plans with respect to the proceeds of the account and Defendants' respective claims against the Plan to those proceeds are hereby released.

Dated: October 14, 2020
New York, New York

EPSTEIN BECKER & GREEN, P.C.

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Cross Defendant Janet Rossi*

The Clerk of Court is directed to mark this case as closed, without prejudice to reopening upon application of any party, provided that such application is made within 120 days after the date of this order.

SO ORDERED:

October 15, 2020



J. PAUL OETKEN
United States District Judge